

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

Mail Code  
(SR-6J)

September 19, 2016

Mr. Jeffrey A. Leed  
Project Manager, NL/Taracorp Site  
Leed Environmental, Inc.  
2209 Quarry Drive  
Suite C-35  
Reading, PA 19609  
Jeff Leed <jleed@leedenvironmental.com>

*Via regular mail and email*

RE: U.S. EPA Conditional Approval with Comments of the Revised Remedial Action Work Plan titled **UPDATED REMEDIAL ACTION WORK PLAN FOR RESIDENTIAL SOIL REMEDIATION AND 1555 STATE STREET PROPERTY SIDEWALK REPLACEMENT** dated September 6, 2016 as clarified on September 16, 2016 (Remedial Action Work Plan or RAWP); NL/Taracorp Superfund Site, Granite City, Illinois

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Dear Mr. Leed:

The United States Environmental Protection Agency (U.S. EPA) and the Illinois Environmental Protection Agency (IEPA) have reviewed the above-referenced Remedial Action Work Plan (RAWP) as part of their required oversight role of the on-going remedial action and operations and maintenance activities. Those activities are being performed by the NL/Taracorp Remedial Design/Remedial Action (RD/RA) Site Group (Site Group) at the NL Industries /Taracorp National Priorities List (NPL) Superfund Site, Granite City, Illinois (NL/Taracorp Site).

The RAWP was prepared and submitted by Leed Environmental, Inc. on behalf of the Site Group. The RAWP was submitted on September 6, 2016. A conference call meeting was held between U.S. EPA, IEPA and Site Group representatives on September 15. Based on that call, revised pages were submitted on September 16, 2016. The RAWP is required to define the remediation procedures to be performed by the Site Group to address the portions of the remaining residential properties at the NL / Taracorp Superfund Site where the lead concentrations in soil exceed 500 mg/kg.

Final review comments are found in the enclosure to this letter. U.S. EPA hereby conditionally approves the RAWP, subject to incorporation of the enclosed comments. Accordingly, please

provide a revised RAWP and responses to comments within thirty (30) days of your receipt of this letter, unless an extension request is approved

Please advise when a kick-off meeting will be scheduled and the work is scheduled to begin so that appropriate oversight can be scheduled.

Should you have any questions or concerns, do not hesitate to contact me at (312) 886-4745 or at [bianchin.sheri@epa.gov](mailto:bianchin.sheri@epa.gov).

Sincerely,

/s/

Sheri L. Bianchin  
Remedial Project Manager

encl.

Tom Miller, IEPA  
Erin Rednour, IEPA

bcc

**U.S. EPA COMMENTS RE: *UPDATED REMEDIAL ACTION WORK PLAN (RAWP) FOR  
RESIDENTIAL SOIL REMEDIATION AND 1555 STATE STREET PROPERTY  
SIDEWALK REPLACEMENT***

**GENERAL COMMENT**

1. References to the 2015 RAWP should be provided. Please reference the date it was submitted to U.S. EPA, the date it was conditionally approved by U.S. EPA, and the date of the final submission based on comments submitted and various discussions.

**SPECIFIC COMMENTS**

2. **Section: 1.1, Page #: 1-1, 1<sup>st</sup> paragraph.** Delete the part of the first sentence that states the report was prepared at the request of U.S. EPA and instead reference that the RAWP is being submitted to U.S. EPA for approval pursuant to paragraph 12 of the consent decree.
3. **Section: 1.1, Page #: 1-1, Last line of 1<sup>st</sup> paragraph.** Change as follows: The remediation procedures addressed in this RAWP are intended to be consistent with the remedial activities performed by the Group for the residential properties at the site from 1998 to 2000, which included sampling and where appropriate cleanup of contaminated soil on residential property that was partially capped by a deteriorating barrier and contaminated soil on non-residential property subject to a land use change. As it relates to the 1555 State Street property, this RAWP is consistent with the actions taken at the main industrial portion of the site from 1999 to 2000.
4. **Section: 1.1, Page #: 1-4, Lines 1.** Include a footnote along with the following statement, on line 1: “. . . ,and as a result of the ongoing litigation with the PRPs, which states the following:

Per U.S. EPA's Decision Document/ Explanation of Significant Differences (DD/ESD) dated 9/29/95, page 23, “[o]n July 31, 1991, the United States commenced the *United States, v. NL Industries, Inc., et al*, litigation, asserting claims against several PRPs: 1) to compel full compliance with U.S. EPA's Order; 2) for imposition of penalties and punitive damages for those PRPs' failure to comply with U.S. EPA's Order and 3) to recover the response costs incurred and to be incurred by the United States at the Site. At the suggestion of the Defendants, U.S. EPA agreed to reopen the administrative record to reevaluate the appropriate cleanup standard for lead in residential soils. Pursuant to that agreement, U.S. EPA held a public comment period from October 14, 1994 to January 13, 1995, to allow interested parties to comment on the selected residential soil cleanup level for lead at the Site.

5. **Section: 1.2, Page #: 1-4, 5<sup>th</sup> paragraph.** U.S. EPA recommends the following language, settlement money is included and implementation of the institutional controls relates back to the consent decree. Similar language is approvable as long EPA's disbursement of the *de minimis funds* is mentioned.

“Pursuant to paragraph 123 of the CD, in 2006 U.S. EPA disbursed, \$1,804,083, which represented the entirety of the proceeds from the Agency's settlements with *de minimis* parties, to the Group. The purpose of the disbursement was to assist the PRP Group with carrying out its responsibilities under the CD. That same year, U.S. EPA and the PRP group reinitiated its discussions related to implementation of institutional controls at the site and development of an institutional control plan.”

6. **Section: 1.3, Page #: 1-5, Line 1 of 1<sup>st</sup> Paragraph in section.** Rewrite 1<sup>st</sup> line of 1<sup>st</sup> sentence of section 1.3 as follows: “As indicated in Section 1.2, and pursuant to paragraph II. 8 of the Statement of Work , in 2006 EPA and the Group reinitiated efforts to develop institutional controls . . .”
7. **Section: 1.4, Page #: 1-16, Last line of section 1.4.** Because the reference is made to the additional battery chip work, please also make reference to the additional contingency measures that are further described in section 8.0.
8. **Section: 8.0, Page #: 8-1. 2<sup>nd</sup> Paragraph, 1<sup>st</sup> sentence.** Please rewrite as follows:  
“In response to the October 2015 meeting and subsequent discussions between U.S. EPA and the Group, the Group prepared and submitted a memorandum to U.S. EPA in April 2016 to document the procedures previously developed and implemented by U.S. EPA and the Group to address the contingency measures requirement at the site.”
9. **Section: 8.0, Page #: 8-1, 1st Paragraph after bulleted paragraph.** Please rewrite as follows (or in similar language):

“Following its review of the Group's April 2016 memorandum, U.S. EPA acknowledged that the above described contingency measures were successfully developed and implemented by the Group. U.S. EPA requested that the Group prepare a work plan for implementing the additional contingency measures set forth in the ROD. The Group is working with U.S. EPA and Illinois EPA to develop those contingency measures and procedures for implementation. It is currently contemplated that those measures will be employed through the end of the 30-year period in 2023 and will be implemented by U.S. EPA or IEPA using funds U.S. EPA has collected from the Group and NL Industries. In the meantime, the Group also has willingly agreed to survey sidewalks and driveways for residential properties within the zone of contamination during the upcoming mobilization event under the RAWP.”

10. **Section: 8.0, Page #: 8-2.** Revise the sentence as follows:

“Similarly, the Group will work with the appropriate individual(s) within each local jurisdiction to identify and define the procedures to be followed.”

11. **Section: 8.0, Page #: 8-2.** Include a provision for doing a baseline survey of sidewalks and driveways for residential properties within the zone of contamination which are presently capped by asphalt or other barriers but have become exposed due to land use changes or deterioration of the existing use.